

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SERGIO BETTERS,

Petitioner,

v.

WARDEN, FRANKLIN
COUNTY CORRECTION
CENTER,

Respondent.

CASE NO. 2:17-CV-17


CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Elizabeth P. Deavers

OPINION AND ORDER

On September 15, 2017, the Magistrate Judge issued a *Report and Recommendation* recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. (ECF No. 4.) Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* (ECF No. 4) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED** with prejudice for failure to prosecute.

IT IS SO ORDERED.

 10-06-17
EDMUND A. SARGUS, JR.
Chief United States District Judge